

## ATV Safety Bill SB 235

**Goal:** The overall objective of this legislation is to 1) maintain strict safety standards for the operation of ATVs and 2) create a framework for the activity to expand and make it easy to introduce new and young people to ATV riding.

**The bill:** There are three components of this bill:

1. Under current law, there are only three ways for a person under the age of 12 to operate an ATV:

- A. If it is for an agricultural purpose
- B. If he/she is using a small ATV, is on a DNR trail, and is accompanied by a parent
- C. If he/she is on property of an immediate family member

The bill maintains A and C in their current form, but modifies B to allow children under 12 to operate an ATV anywhere anyone else can provided it is a small ATV and they are accompanied by a parent, guardian, or parent-designated adult.

**REASON:** This portion is modeled after the Youth Hunting Bill. It encourages youth to get involved in ATV riding under the guidance of family members. But current law doesn't recognize grandparents, aunts, uncles, etc. as legitimate supervisors of children on ATVs. This bill corrects that.

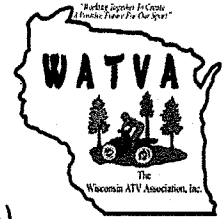
2. Current law allows children under 12 to operate ATVs on roadways if they are using it for an agricultural purpose. This bill prevents children under 12 from operating an ATV on a roadway for any purpose. Also, it prohibits 12-16 year olds from operating an ATV on a roadway for a non-agricultural purpose unless accompanied by a parent or designee.

**REASON:** ATV operation on roadways is becoming increasingly dangerous.

3. Under current law, anyone born after January 1, 1988 must complete a DNR ATV safety class and get a safety certificate prior to operating an ATV on public land. This bill provides an exemption to this requirement for individuals attending an ATV demonstration event who ride the ATV under controlled circumstances.

**REASON:** As time goes on, more and more people are falling under the January 1, 1988 requirement. ATV demonstration events are a time to get people excited about ATVs and recruit new participants. The point of demonstration events is to encourage new people. Why would anyone take a safety course and pay for a certificate if they haven't even tried out an ATV yet?

Public Hearing  
10/24/11



**Senate Committee on Labor, Public Safety, and Urban Affairs**

Testimony provided by Randy Harden of the Wisconsin ATV Association (WATVA)

**Chair – Senator Wanggaard**  
*Senators Grothman, Lazich, Wirch, and King*

***SB 235 - Relating to age restrictions and safety certificate requirements regarding the operation of an ATV***

**Requesting your support for SB 235**

**A change for under youth under age 12 on private property**

**A change for youth age 12 through 15 on public road routes**

**A change for those born on or after 1/1/1988 under certain conditions**

- Parallels the language in the Youth Hunting Mentorship program by creating parent or parent approved adult oversight (grandparents, uncle/aunt, etc.) for youth under age 12 on certain private property. This bill allows the grandparents to legally accompany an under age 12 youth on a small ATV (90cc or less) under their **ACCOMPANEMENT** on private property other than the parent's. This bill ***strengthens*** the oversight requirement by ***requiring*** the parent approved adult to accompany the youth at all times when the ATV riding is not on the parent's own property.
- Strengthens the oversight requirement for youth, ages 12 through 15, while riding on road routes by requiring the parent or a parent approved adult to accompany the age 12 – 15 youth on a legal ATV road route. Currently this age youth can legally ride by themselves on road routes, after passing the Wisconsin DNR ATV safety course.
- \* Allows an opportunity to try out the activity or machine (or both) without the DNR safety certificate as long as the activity is supervised (accompanied by applies) with safety gear mandated at slower speeds in a controlled environment. Currently anyone born on or after 1/1/1988 (which affects 12 through 23 year olds this year) cannot test ride an ATV without first passing the 6 hour minimum ATV DNR course.

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